

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RAYMOND WYNGAARD,

Plaintiff,

v.

JOHN RUBITSCHUN, et al.,

Defendants.

Case No. 5:05-cv-157

Hon. Wendell A. Miles

JUDGMENT APPROVING
MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION

On August 1, 2006, United States Magistrate Judge Ellen S. Carmody issued a Report and Recommendation ("R & R") recommending that Defendants' Motion for Summary Judgment (Docket No. 10) be granted and Plaintiff's action dismissed. No objections were filed to the R & R.

The court, having reviewed the R & R filed by the United States Magistrate Judge in this action, and having reviewed the relevant portions of the file in this matter, determines that the Magistrate Judge has made a thorough and accurate review of all appealable issues and agrees with the reasoning and recommended disposition contained in the R & R.

THEREFORE IT IS ORDERED that the court hereby approves and adopts the R & R as the decision of the court. Defendants' Motion for Summary Judgment is granted and plaintiff's action is dismissed.

Dated: August 31, 2006

/s/ Wendell A. Miles
Wendell A. Miles
Senior U.S. District Judge